

A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS
WAS HELD JUNE 18, 1996 AT 1:00 P.M. IN WARRENTON, VIRGINIA

P R E S E N T Mr. David C. Mangum, Chairman; Mr. James G. Brumfield, Vice
Chairman; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr.
Larry L. Weeks; Mr. G. Robert Lee, County Administrator; Mr.
Paul S. McCulla, County Attorney

ADULT DETENTION CENTER FACILITY PLANNING PROGRAM

A work session was held to review and discuss the Facility Program Plan
for the Adult Detention Center.

ECONOMIC DEVELOPMENT TASK FORCE AND ECONOMIC DEVELOPMENT AUTHORITY

A work session was held with members of the Economic Development
Task Force and the Economic Development Authority.

BUDGETARY AND FINANCIAL POLICY AND PROCESS IMPROVEMENT/REFORM

A work session was held to discuss several areas of concern and
opportunities for process and policy improvements in the area of budgetary and
financial management.

ORDINANCE AND REGULATION ADVISORY COMMITTEE (ORAC) TASK

ONE INTERIM REPORT

A work session was held with members of the Ordinance and Regulation Advisory Committee to review and discuss the Task One Interim Report.

NEW BALTIMORE COMPREHENSIVE PLAN AMENDMENT

A work session was held to review and consider a proposed Comprehensive Plan amendment for the New Baltimore Service District to redesignate to low density residential all land currently designated for planned residential development.

EXECUTIVE SESSION

Mr. Brumfield moved to go into executive session pursuant to Virginia Code Section 2.1-344 (A) (1) for interviews with prospective candidates for two Board appointed committees; Section 2.1-344(A) (3) for discussion or consideration of the acquisition of real property for public uses; and Section 2.1-344(A) (7) for consultation with legal counsel pertaining to possible litigation. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

Upon reconvening from executive session, Mr. Brumfield moved to adopt the following certification. Mr. Burton seconded.

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Fauquier County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by this Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 18th day of June 1996, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

VOTE:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Absent During Meeting: None

The meeting was reconvened in regular session at 6:30 p.m. in the Warren Green Meeting Room.

ADOPTION OF THE AGENDA

Mr. Brumfield moved to adopt the agenda subject to adding A Resolution to Accept and Authorize Execution of Department of Criminal Justice Services Victim Witness Assistance Program Grant to the Consent Agenda. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

CITIZENS TIME

Debbie Reedy, representing the Fauquier County Soccer Clubs, Inc., requested the Board of Supervisors write a letter of welcome for the upcoming soccer tournament. The Board of Supervisors agreed to write the letter.

Beverly Butterfield, representing VPI & SU Extension, introduced Keith Dickinson as the new Extension Agent.

Walter Hitchcock requested that the Board of Supervisors consider relocating the Lord Fairfax Community College to St. Leonard's Farm, proximate to Fauquier High School.

CONSENT AGENDA

Mr. Burton moved to adopt the following Consent Agenda items. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur

W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

Approval of the Minutes of the June 4, 1996 Regular Meeting

A Proclamation Designating July as Parks and Recreation Month

PROCLAMATION

A PROCLAMATION DESIGNATING JULY AS

PARKS AND RECREATION MONTH

WHEREAS, physical recreation and meaningful leisure experiences contribute to physical and mental well-being as well as the overall quality of life;

and

WHEREAS, community recreation and leisure opportunities create socially beneficial connections between and among individuals, groups, and communities; and

WHEREAS, Parks and Recreation services provide preventive health benefits, support more productive workforces, enhance the desirability of locations for business and families, and stimulate tourism revenues to increase a total community economic development model; and

WHEREAS, July has been designated as Parks and Recreation Month by the National Recreation and Park Association and the Fauquier County Parks and Recreation Board; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of June 1996, That July be designated Parks and Recreation Month; and, be it

RESOLVED FURTHER, That this beautiful county join in this nationwide celebration bringing recognition to all the benefits derived from quality public and private recreation and park resources at the local level.

A Resolution to Endorse and Authorize Execution of Federal and State Applications for Extension of Runway 14-32 at the Warrenton-Fauquier Airport

RESOLUTION

A RESOLUTION TO ENDORSE AND AUTHORIZE EXECUTION OF

FEDERAL AND STATE APPLICATIONS FOR EXTENSION OF
RUNWAY 14-32 AT THE WARRENTON-FAUQUIER AIRPORT

WHEREAS, the Master Plan for the Warrenton-Fauquier Airport was adopted by the Fauquier County Board of Supervisors in meeting assembled 6 July 1993; and

WHEREAS, the Airport Master Plan contains development plans for the Warrenton-Fauquier Airport, including rehabilitation and extension to 5,000 feet of Runway 14-32 in order to enhance the Airport's runway system and the Airport itself; and

WHEREAS, it is necessary to apply to the Federal Aviation Administration and the Virginia Department of Aviation for a license change for the proposed runway extension; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of June 1996, That the applications to the Federal Aviation Administration and the Virginia Department of Aviation for extension to 5,000 feet of Runway 14-32 at the Warrenton-Fauquier Airport be, and are hereby, endorsed; and, be it

RESOLVED FURTHER, That the County Administrator be, and is hereby, authorized to sign on behalf of Fauquier County the Federal Aviation Administration "Notice of Landing Area Proposal" and the Virginia Department of Aviation "Application to Extend a Runway of a Licensed Public-Use Airport" for the proposed runway extension.

A Resolution to Accept and Authorize Exception of Virginia Department of Aviation Grant for Widening the Taxiway at the Warrenton-Fauquier Airport

RESOLUTION

A RESOLUTION TO ACCEPT AND AUTHORIZE EXECUTION OF
VIRGINIA DEPARTMENT OF AVIATION GRANT FOR WIDENING THE
TAXIWAY AT THE WARRENTON-FAUQUIER AIRPORT

WHEREAS, the County of Fauquier has submitted applications for State funding grants from the Virginia Department of Aviation (VDOA) for development of the Warrenton-Fauquier Airport; and

WHEREAS, the Virginia Department of Aviation has approved a project grant for widening the taxiway and issued a Grant Agreement dated 9 May 1996 (VDOA Project No. CS0068-05) for acceptance and execution by the appropriate Fauquier County official, with the maximum obligation of the Commonwealth of Virginia under the grant not to exceed \$3,840 and the grant being subject to certain terms and conditions as contained in said Grant Agreement; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of June 1996, That the Grant Agreement dated 9 May 1996, issued by the Virginia Department of Aviation (VDOA Project No. CS0068-05), for widening the taxiway at the Warrenton-Fauquier Airport be, and is hereby, accepted; and, be it

RESOLVED FURTHER, That the Chairman of the Fauquier County Board of Supervisors be, and is hereby, authorized to sign on behalf of the County the said Grant Agreement and any other necessary grant documentation.

A Resolution to Cancel the August 6, 1996 Board of Supervisors Meeting

RESOLUTION

A RESOLUTION TO CANCEL THE AUGUST 6 MEETING
OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS

BE IT RESOLVED by the Fauquier County Board of Supervisors this 18th day of June 1996, That the August 6, 1996 regularly scheduled meeting of the Fauquier County Board of Supervisors be, and it is hereby, canceled; and, be it

RESOLVED FURTHER, That notice of this cancellation shall be posted at the Fauquier County Courthouse and the Warren Green Building, as well as advertised in the Fauquier Times Democrat and The Citizen and on the local radio stations.

A Resolution to Set an Adjourned Meeting of the Board of Supervisors for June 28, 1996

RESOLUTION

A RESOLUTION TO SET AN ADJOURNED MEETING OF THE
FAUQUIER COUNTY BOARD OF SUPERVISORS FOR JUNE 28, 1996

BE IT RESOLVED by the Fauquier County Board of Supervisors this 18th day of June 1996, That an adjourned meeting of the Board be, and is hereby, set for June 28, 1996 at 10:30 a.m. at the Lord Fairfax Community College Barn to discuss coordination of Corral Farm access.

A Resolution to Accept and Authorize Execution of 1995 Fire Programs Fund
Disbursement Agreement

RESOLUTION

A RESOLUTION TO ACCEPT AND AUTHORIZE EXECUTION OF
1995 FIRE PROGRAMS FUND DISBURSEMENT AGREEMENT

BE IT RESOLVED by the Fauquier County Board of Supervisors this 18th
day of June 1996, That the 1995 Fire Programs Fund Disbursement Agreement,
dated 29 May 1996, issued by the Virginia Department of Fire Programs,
governing Fauquier County's distribution from the 1995 Fire Programs Fund be,
and is hereby, accepted; and, be it

RESOLVED FURTHER, That the Chairman of the Fauquier County Board
of Supervisors be, and is hereby, authorized to sign on behalf of the County the
said 1995 Fire Programs Fund Disbursement Agreement.

Appointment of Parent Representative to the Community Policy and
Management Team

RESOLUTION

A RESOLUTION TO APPOINT A PARENT REPRESENTATIVE MEMBER
TO THE COMMUNITY POLICY AND MANAGEMENT TEAM

WHEREAS, pursuant to Section 2.1-751 of the Code of Virginia, members
of the Community Policy and Management Team shall be appointed by the local

governing body; and

WHEREAS, the term of the present parent representative on the Community Policy and Management Team expires June 30, 1996; and

WHEREAS, the Community Policy and Management Team voted on May 24, 1996, to recommend to the Board of Supervisors that Ms. Lawrie Parker be appointed to serve as its parent representative for a two year term; and

WHEREAS, Ms. Lawie Parker has consented to serve on the Community Policy and Management Team, if appointed, as a parent representative to the Team for a two year term commencing July 1, 1996; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of June 1996, That Ms. Lawrie Parker is appointed a "parent representative" to serve on the Community Policy and Management Team for a two year term commencing July 1, 1996, and ending June 30, 1998.

A Resolution to Authorize a Public Hearing to Consider Tax Exempt Status from Real Property Taxes for Remington Home, Inc.

RESOLUTION

A RESOLUTION TO REQUEST A PUBLIC HEARING FOR
CONSIDERATION OF EXEMPTION FROM LOCAL PROPERTY
TAXATION FOR THE PROPERTY OF REMINGTON HOME, INC.

WHEREAS, Remington Home, Inc. has been established, at HUD direction, as owner of this property identified as PIN #6887-09-3638-000, and the

house to be built on it; and

WHEREAS, they have applied for tax exempt status to the Internal Revenue Service and they have determined Remington Home, Inc. is exempt from federal income tax under Section 501(a) of the Internal Revenue Code as an organization described in Section 501(c) (3); and

WHEREAS, the Internal Revenue Service, during an advance ruling period (January 5, 1996 through December 31, 2000) has determined that Remington Home, Inc. can expect to be a publicly supported organization described in Sections 509(a) (1) and 170(b) (1) (A) (vi); and

WHEREAS, the sponsor of this corporation and the building of the group home is Fauquier Citizens for Handicapped Persons, Inc., a 501(c) (3) organization which applied for the HUD grant; and

WHEREAS, Rappahannock-Rapidan Community Services Board has documented the need for this facility and will provide supervision and management services for the persons living there; and

WHEREAS, the residents of the home shall be low income, mentally retarded adult individuals unable to live on their own without assistance; and

WHEREAS, by adoption of this resolution, the Board of Supervisors certifies that it has examined the criteria set forth in Subsection B of Section 30-19.04 and to the extent its property is not used by non-charitable, historical, or cultural uses, Remington Home, Inc. meets the criteria set forth in Article X of the Constitution of the Commonwealth of Virginia, and Virginia Code Section 58.1-3650 and 30-19.04(B) (1)-(8), in answer to the questions:

1. Remington Home, Inc. is exempt from taxation pursuant to Section 501(c) of the Internal Code of 1954;
2. The Remington Home, Inc. does not hold an alcoholic beverage license;
3. No director or officer is paid except to reimburse out of pocket expenses for postage or long distance phone bills for the organization;
4. No part of the net earnings inures to the benefit of any individual. A portion of the services provided by Remington Home, Inc. may be generated by funds received from donations, contributions or local, state, or federal grants;
5. The Remington Home, Inc. will provide oversight of the home and maintain the house and yard. It is being built as a permanent residence for mentally retarded adults without regard to race or religion;
6. None of the home's activities will attempt to influence legislation. The organization does not participate in, or intervene in, any campaign on behalf of any candidate for public office;
7. The organization does not discriminate on the basis of religious conviction, race, color, sex, or national origin;
8. The revenue impact to the locality of exempting the property is an estimated \$25,000 according to the Commissioner of the Revenue's Office; and
9. The Rappahannock-Rapidan Community Services Board has indicated a need for homes for this population in Fauquier County; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of June 1996, That a public hearing be held to solicit comments from the citizens of Fauquier County regarding this request; and, be it

RESOLVED FURTHER, That the County Administrator is directed to place the necessary advertisements to set the public hearing at the next available time.

A Resolution to Approve the Revised Consolidated Services Agreement

RESOLUTION

A RESOLUTION TO AUTHORIZE EXECUTION OF
THE REVISED CONSOLIDATED SERVICES AGREEMENT

WHEREAS, the Functional Consolidation Committee on June 6, 1996 voted 6-1 to recommend the execution of the revised agreement to the Board of Supervisors and the School Board; and

WHEREAS, the School Board approved the revised agreement on June 10, 1996 by a vote of 4-1; and

WHEREAS, the Board of Supervisors supports the elements of the revised agreement as the logical next step in the functional consolidation process; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of June 1996, That the Board does hereby direct the Chairman of the Board of Supervisors to execute the Revised Consolidated Services Agreement on behalf of the Board of Supervisors.

A Resolution to Authorize Collection of Real Property Taxes

RESOLUTION

A RESOLUTION AUTHORIZING EXECUTION AND POSTING OF A
LETTER TO LAND OWNERS OWING DELINQUENT REAL ESTATE
TAXES AND ALSO AUTHORIZING FURTHER TAX COLLECTION
ENDEAVORS

WHEREAS, Fauquier County is currently owed delinquent real estate
taxes; and

WHEREAS, the Board of Supervisors of Fauquier County has determined
that it is in the best interest to collect these delinquent real estate taxes; now,
therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of
June 1996, That the Office of the County Attorney be, and is hereby, directed to
institute efforts to collect all delinquent real property taxes, such efforts to
include, but not be limited to, the posting of collection letters, filing of liens, and
the institution of lawsuits.

A Resolution to Accept and Authorize Execution of Department of Criminal
Justice Services Victim Witness Assistance Program Grant

RESOLUTION

A RESOLUTION TO ACCEPT AND AUTHORIZE EXECUTION OF
DEPARTMENT OF CRIMINAL JUSTICE SERVICES VICTIM WITNESS

ASSISTANCE PROGRAM GRANT

BE IT RESOLVED by the Fauquier County Board of Supervisors this 18th day of June 1996, That the Victim Witness Assistance Program Grant from the Virginia Department of Criminal Justice Services be, and is hereby, accepted; and, be it

RESOLVED FURTHER, That the Chairman of the Fauquier County Board of Supervisors be, and is hereby, authorized to sign on behalf of the County the necessary grant documents.

Cul-de-sac Length Modification - Patrick Mason

RESOLUTION

A RESOLUTION TO MODIFY SECTON 5-8 OF THE
SUBDIVISION ORDINANCE TO ALLOW A CUL-DE-SAC
IN THE MASON SUBDIVISION TO EXCEED 700 FEET

WHEREAS, Mr. Patrick Mason is proposing to subdivide a 205 acre tract into a total of eleven (11) lots; and

WHEREAS, Mr. Mason's proposed subdivision includes a cul-de-sac which is 1,297 feet in length; and

WHEREAS, Section 5-8 of the County's Subdivision Ordinance states that cul-de-sacs should not exceed 700 feet in length; and

WHEREAS, Section 4-27 of the Subdivision Ordinance allows the Board of Supervisors to modify or waive Subdivision Ordinance requirements upon the request of an applicant following a recommendation by the Planning Commission;

and

WHEREAS, the Planning Commission has visited the site of Mr. Mason's proposed subdivision and at the Planning Commission meeting held on May 30, 1996, the Commission unanimously approved a motion recommending that the waiver to Section 5-8 of the Subdivision Ordinance to allow the proposed cul-de-sac to exceed 700 feet; be approved; now, therefore, be it

RESOLVED this 18th day of June 1996, by the Fauquier County Board of Supervisors, That a modification to Section 5-8 of the Subdivision Ordinance to allow a cul-de-sac in the proposed Mason Subdivision to exceed 700 feet is hereby approved.

Lee's Glen Preliminary Subdivision Plat Amendment - R.D. Robinson/Sterling Homes Corporation

No action was taken.

Monroe Park Final Site Plan

No action was taken.

Acceptance of 1996-1997 Rural Transportation Planning Grant

RESOLUTION

A RESOLUTION FOR FAUQUIER COUNTY TO MATCH

A TRANSPORTATION PLANNING GRANT

FROM PLANNING DISTRICT 9

WHEREAS, Fauquier County has submitted a request to Planning District 9 for funding from the District's Rural Transportation Planning Grant funds.

WHEREAS, Fauquier County has successfully utilized Rural Transportation Planning Grant Funds from Planning District 9 during the current fiscal year; and

WHEREAS, Fauquier County has identified several areas of the County where transportation planning studies are needed; and

WHEREAS, Fauquier County has been notified by Planning District 9 that the County has been allocated a total of eighteen thousand dollars (\$18,000.00) in Rural Transportation Planning Grant funds with fourteen thousand dollars (\$14,000.00) for a Transportation Study of the Opal Service District, two thousand dollars (\$2,000.00) for the Bealeton Service District Interchange Assessment (Routes 28 and 17) and two thousand dollars (\$2,000.00) for the planning in the Route 28 Corridor; and

WHEREAS, Fauquier County will authorize 25% of the grant funds or forty-five hundred dollars (\$4,500.00) as its local match; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of

June 1996, That Fauquier County acknowledges the eighteen thousand dollars (\$18,000.00) in Rural Transportation Planning Grant funds from Planning District 9 and agrees to budget \$4,500.00 as its local match.

A RESOLUTION TO AUTHORIZE THE CHAIRMAN OF THE FAUQUIER
COUNTY BOARD OF SUPERVISORS TO SIGN THE FACILITY PLANNING
PROGRAM FOR THE ADULT DETENTION CENTER

Mr. Brumfield moved to adopt the following resolution. Mr. Burton
seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur
W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO AUTHORIZE THE CHAIRMAN OF THE
FAUQUIER COUNTY BOARD OF SUPERVISORS TO SIGN THE FACILITY
PLANNING PROGRAM FOR THE ADULT DETENTION CENTER

WHEREAS, the Fauquier County Board of Supervisors held a work
session on May 21, 1996 for the purpose of receiving the Proposed Facility
Planning Program for the Adult Detention Center; and

WHEREAS, the Project Team, consisting of Captain Rene' Stevens,
Charles Flammia and representatives from Mosely/Harris, presented information

on project size, cost and total bed count; and.

WHEREAS, the Board of Supervisors requested that the Project Team provide additional information which was forwarded to the Board of Supervisors from Mosely/Harris on May 23, 1996; and

WHEREAS, the Project Team is requesting written Board of Supervisors concurrence with the Facility Planning Program to insure that the internal space allocation, total bed count and cost projections are consistent with the wishes and expectations of the Board of Supervisors;

WHEREAS, the Chairman of the Board of Supervisors directed that this item be placed on the Board of Supervisors agenda for June 18, 1996 for action by the Board of Supervisors; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 18th day of June 1996, That the Chairman of the Board of Supervisors is hereby authorized by the Fauquier County Board of Supervisors to sign the Facility Planning Program on behalf of the Board of Supervisors; be it

RESOLVED FURTHER, That the Board of Supervisors does hereby authorize the County Administrator to sign the necessary documents pursuant to the abandonment of Franklin Street located in the Town of Warrenton.

AUTHORIZATION TO FUND THE COMPLETION OF ROADS IN MISTY RUN
SUBDIVISION

Mr. Weeks moved to adopt the following resolution. Mr. Brumfield

seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur
W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE COUNTY COMPLETION OF SUBDIVISION ROADS IN MISTY RUN I SUBDIVISION

WHEREAS, the county approved on March 15, 1988 a final plat for Misty Run Subdivision, Phase I, off of Route 674 in New Baltimore, for which the Fauquier County Zoning Ordinance required the roads to be designed and constructed to standards acceptable by the Virginia Department of Transportation for acceptance into the State Secondary Road System; and

WHEREAS, the Fauquier County Subdivision Ordinance required the construction or bonding for construction prior to recordation of the final plat; and

WHEREAS, a Developer's Agreement was executed and a bond was posted on June 15, 1988, and

WHEREAS, the subdivision was put to record and the lots were sold, and

WHEREAS, the bond for the subdivision expired on July 16, 1989, before the roads were accepted into the Secondary Road System for maintenance, and

WHEREAS, the roads are not now in a condition acceptable by VDOT for inclusion in the State Secondary Road System, and

WHEREAS, the Virginia Department of Transportation (VDOT) is a state agency and the county can contract with state agencies without compliance with the Virginia Procurement Act; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of June 1996, That the Board of Supervisors states its intent to appropriate funds from the FY 1996 budget in accordance with recommendations made by the Finance Committee; and, be it

RESOLVED FURTHER, That the Board of Supervisors hereby requests the Virginia Department of Transportation to assist the County in having the necessary improvements completed to bring the roads up to the standards required for acceptance into the State Secondary Road System.

APPOINTMENTS

Mr. Green moved to appoint David Simons, Tracey Furr, and Georgia Herbert to the Disability Services Board for four-year terms. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RECEIVE PUBLIC COMMENT ON PROPOSED ORDINANCE ABANDONING A
10 FOOT WIDE BY 31.82 FOOT LONG PORTION OF LAND ADJACENT TO
ROUTE 799 -- PHYLLIS SCOTT

A public hearing was held to consider a proposed ordinance abandoning
a 10 foot wide by 31.82 foot long portion of land adjacent to Route 799. Phyllis
Scott spoke in favor of the ordinance. No one else spoke. The public hearing
was closed. Mr. Green moved to adopt the following ordinance. Mr. Brumfield
seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur
W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

ORDINANCE

AN ORDINANCE AUTHORIZING ABANDONMENT OF A
PORTION OF PUBLIC RIGHT OF WAY LOCATED ADJACENT
TO VIRGINIA ROUTE 799 AND THE PROPERTY OF PHYLLIS SCOTT

WHEREAS, on March 27, 1987, a plat of subdivision entitled "Division of
the Land of Michael E. and Phoebe H. Lyons" (now owned by Phyllis Scott) was
recorded in Deed Book 557 at Page 385 among the land records of Fauquier
County; and

WHEREAS, said plat dedicated to public street use a 25 foot wide portion

of the subdivided property adjacent to Virginia Route 799 all as shown on the aforesaid plat of subdivision; and

WHEREAS, a survey of Brian Throssell, L.S., dated 4/26/96 and entitled "Plat of Correction to Revise the Division of the Land of Michael E. and Phoebe Lyons" to correct the area dedicated to public street use on said plat by deleting from said dedication 10 foot wide by 31.82 foot long portion of the dedication adjacent to Tract "B" of the subdivision as shown on said plat was recorded among the land records of Fauquier County in Deed Book 754 at Page 1659; and

WHEREAS, Phyllis Scott, the present owner of Tract "B", has requested that the County formally abandon the aforesaid 10 foot wide by 31.82 foot long portion of land previously dedicated for public street use; and

WHEREAS, the Virginia Department of Transportation has stated by letters dated April 15 and 18, 1996, that it does not consider the right of way in question to be in the state secondary highway system and takes no exception to the abandonment of the aforesaid 10 foot wide by 31.82 foot long portion of land; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 18th day of June 1996, That the certain 10 foot wide by 31.82 foot long portion of the land previously dedicated to public street use adjacent to Tract "B" all as shown on that aforesaid plat of Brian Throssell, L.S., dated 4/26/96, and recorded in Deed Book 754 at Page 1659 among the land records of Fauquier Country and is hereby abandoned.

RECEIVE PUBLIC COMMENT ON A PROPOSED RATE INCREASE TO THE
CONDOMINIUM HANGAR LEASES AT THE WARRENTON-FAUQUIER
AIRPORT

A public hearing was held to consider a proposed rate increase to the condominium hangar leases at the Warrenton-Fauquier Airport. No one spoke. The public hearing was closed. Mr. Burton moved to table the decision until the July 2, 1996 meeting. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur
W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RECEIVE PUBLIC COMMENTS ON A REQUEST TO VACATE A PORTION OF
DEDICATED RIGHT-OF-WAY OF ROCKBRIDGE STREET

A public hearing was held to consider a request to vacate a portion of dedicated right-of-way of Rockbridge Street. Mary Morran, representing the Addition to Warrenton Lakes Homeowners Association, spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Brumfield moved to adopt the following ordinance. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur
W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

ORDINANCE

AN ORDINANCE AUTHORIZING THE VACATION OF A RIGHT-OF-WAY FOR
A PORTION OF ROCKBRIDGE STREET IN THE ADDITION TO WARRENTON
LAKES SUBDIVISION

WHEREAS, the Board of Supervisors initiated the action to vacate a
portion of dedicated but unbuilt right-of-way of Rockbridge Street in the Addition
to Warrenton Lakes subdivision which was recorded in 1973; and

WHEREAS, the request for this vacation was referred to the Planning
Commission for its review and recommendation; and

WHEREAS, the Board of Supervisors held a public hearing on June 18,
1996, on whether to vacate this portion of the Rockbridge Street right-of-way;
and

WHEREAS, the Board of Supervisors have found that this connection of
Rockbridge Street through to Blackwell Road is not needed; now, therefore, be it

ORDAINED this 18th day of June 1996, That the Board of Supervisors of
Fauquier County retains an easement of ten (10) feet on either side of the center
line of the fifty foot right-of-way of Rockbridge Street running from Virginia Route
672, (Blackwell Road) in a northerly direction for approximately 142 feet and
located between lots 398 and 395 as recorded in Deed Book 299 on page 683
among the land records of Fauquier County for the purposed of providing

pedestrian/bicycle access and, with the exception of the easement retained, the remainder of aforesaid Rockbridge Street be and is, hereby, vacated, a copy of which plat is attached hereto and made a part thereof; and, be it

FURTHER ORDAINED, That a copy of this ordinance be spread upon the land records of Fauquier County.

ZONING ORDINANCE TEXT AMENDMENT - SECTION 6-105, LOCATION
REQUIREMENTS 7.B, FENCES

A public hearing was held to consider amending Section 6-105 7.B of the Zoning Ordinance to allow fences which do not exceed four and one-half feet in height within the front yard (front setback); gate posts and gates shall not be subject to this height restriction; and to allow two trellises, not to exceed seven feet in height nor three feet in width to be located within the minimum front yard. Kitty Smith spoke in favor of the amendment. Bob Sowder said that the ordinance should include anything that obstructs site distance. The public hearing was closed. Mr. Green moved to adopt the following ordinance. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur
W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

ORDINANCE

AN ORDINANCE TO AMEND SECTION 6-105, PERMITTED ACCESSORY

USES 7.B.

WHEREAS, by the adoption of this Ordinance the Board of Supervisors has determined that the public necessity, convenience, general welfare or good zoning practice require amendments to the Fauquier County Zoning Ordinance; now, therefore be it

ORDAINED, by the Fauquier County Board of Supervisors this 18th day of June, 1996, That Section 6-105, 7. B. of the Fauquier County Zoning Ordinance be, and is hereby, amended as follows:

SECTION 6-105 7.

B. No accessory structure or use shall be located in any required minimum front yard, except fences which do not exceed five feet in height, statues, arbor, trellis, or flagpole, gate and gate posts.

ZONING ORDINANCE TEXT AMENDMENT - ESTABLISH AN AIRPORT
SAFETY AND IMPACT ZONING OVERLAY DISTRICT

A public hearing was held to consider amending the Zoning Ordinance to establish an Airport Safety and Impact Overlay Zoning District. No one spoke. The public hearing was closed. Mr. Burton moved to table the decision until the July 2, 1996 meeting. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur
W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

SPECIAL EXCEPTION -- MARRIOTT INTERNATIONAL/MARRIOTT RANCH --
BED AND BREAKFAST INN AND RESTAURANT

A public hearing was held to consider a request for special exception approval for Marriott International/Marriott Ranch to locate and operate a bed and breakfast inn and restaurant at the existing ranch. The property is located off of Hume Road (Route 635) just east of Fiery Run Road (Route 726) between Hume and Chester Gap, PIN #6917-47-0965; #6908-86-8715; #6919-15-9657; and #6918-55-7748, Marshall District. Dan Neja, representing Marriott, and Mimi Moore, representing Citizens for Fauquier County, spoke in favor of the request. The public hearing was closed. Mr. Green moved to adopt the following resolution. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur
W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION

REQUEST #SE96-M-08

MARRIOTT RANCH

WHEREAS, the applicant, Marriott Ranch, is requesting a special exception to locate and operate a bed and breakfast inn and restaurant at the existing ranch; and,

WHEREAS, the Special Exception Application of the Marriott Ranch has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exception as set forth in Article 5 of the Zoning Ordinance and the Board further finds that the more restrictive standards of Article 5-700 of said Zoning Ordinance are met in this application; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 18th day of June 1996, That Special Exception #SE96-M-08, Marriott Ranch (PIN 6917-47-0965; 6908-86-8715; 6919-15-9657; 6918-55-7748), be and is hereby, approved subject to the following conditions:

1. Special exception approval to operate a bed and breakfast and restaurant shall be granted specifically for the parcel as identified by PIN 6908-86-8715 and shall be limited to the existing manor house and cottage as indicated on the plat as prepared by James H. Harris and Associates and dated 2/28/96.
2. There shall be no more ten (10) guest rooms (maximum) to be located in the existing manor house and cottage as approved per the submitted plat prepared by James H. Harris and Associates, Inc. and dated 2/28/96.
3. The restaurant operation shall be limited to the existing manor house and seating capacity shall not exceed sixty (60) seats.

4. The subject parcel shall be fenced or clearly marked to prevent inadvertent trespassing.
5. Structures on the site shall be limited to those existing.
6. The applicant shall maintain at all times occupancy permits for all dwellings and guest units, Health Department approvals, and proof that State fire codes are met.
7. The applicant shall conform at all times to County Health Department regulations regarding sanitary sewerage facilities, food service, hand washing facilities and wells.
8. Prior to site plan submission, the applicant shall obtain all necessary approvals, pertaining to the proper operation of all existing and proposed wells and drainfields.
9. A dry hydrant shall be installed at the existing pond, located at the main entrance, and shall be accessible to the Fire Department at all times.
10. All on-site parking and other physical improvements shall comply with the County's site plan regulations.

SPECIAL EXCEPTION - CHARLES MATHESON, RICHARD C.

RIEMENSCHNEIDER,

AND PHILIP THOMAS, OWNERS - MARSHALL SHOPPING CENTER

A public hearing was held to consider a request for special exception approval for Charles Matheson, Richard C. Riemenschneider, and Philip Thomas, Owners, to modify the minimum lot size requirement for a C-3 zoning district which would allow individual lots less than 8 acres in size. The property is located on the east side of Winchester Road (Route 17) at its intersection with Old Stockyard Road (Route 1001) within the Marshall Service District, PIN #6969-88-5571, Marshall District. Ben Jones, representing the Owners, spoke in favor of the request. No one else spoke. The public hearing was closed. Mr.

Green moved to table the decision until the July 2, 1996 meeting. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

SPECIAL EXCEPTION - HOWARD L. LATIMER - ALTERNATE WASTEWATER
SYSTEM

A public hearing was held to consider a request for special exception approval for Howard L. Latimer to locate and operate a recirculating sand filtration system with surface discharge to serve a single family residence. The property, consisting of approximately 1.13 acres, is located on Atoka Road (Route 713) near its intersection with Rectortown Road (Route 710) near Rectortown, PIN #6062-80-5465, Scott District. Howard Latimer spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Week moved to adopt the following resolution. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION

REQUEST #SE96-S-12

HOWARD LATIMER

WHEREAS, the applicant, Howard L Latimer, is requesting a special exception to locate and operate a recirculating sand filtration system with surface discharge to serve a single family residence; and,

WHEREAS, the Special Exception Application of Howard Latimer has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exception as set forth in Article 5 of the Zoning Ordinance and the Board further finds that the more restrictive standards of Article 5-2002 of said Zoning Ordinance are met in this application; now therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of June 1996, That Special Exception #SE96-S-12, Howard Latimer (PIN 6062-80-5465), be and is hereby, approved subject to the following conditions:

1. This approval is for a recirculating sand filtration system with surface discharge to service only the said 1.13 acre parcel as identified by (PIN 6062-80-5465).
2. The discharge must be enclosed in a culvert pipe, buried beneath the roadside ditch along Atoka Road (Route 713) for approximately 1000 feet before surfacing to discharge into Woolf's Run.
3. This system shall remain in conformance with all County and State

Department of Health requirements at all times.

4. Health Department guidelines for the maintenance of the system and the frequency of system monitoring shall be followed.

5. A maintenance contract shall be entered into with a reputable agency to carry out the schedule for the necessary system maintenance

6. The deed for this property shall indicate that this system exists on the site and note the conditions of special exception approval.

SPECIAL EXCEPTION - G&G VENTURES, INC. - SLICK WILLIES BARBECUE

A public hearing was held to consider a request for special exception approval for G & G Ventures, Inc. to enlarge a nonconforming commercial use, which would allow the retail operation of selling prepared food from a portable unit located in the parking lot of the Orlean Market. The property is located at the intersection of Leeds Manor Road (Route 688) and John Barton Payne Road (Route 732) in Orlean, PIN #6935-57-9910, Marshall District. Andrew Gillam and Slick Willie spoke in favor of the request. The public hearing was closed. Mr. Green moved to adopt the following resolution. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION REQUEST #SE96-M-13

SLICK WILLIE'S BARBECUE

WHEREAS, the applicant, Slick Willie's Barbecue, is requesting a special exception to enlarge a nonconforming commercial use, which would allow the retail operation of selling prepared food from a portable unit in the parking lot of the Orlean Market; and,

WHEREAS, the Special Exception Application of Slick Willie's Barbecue has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exception as set forth in Article 5 of the Zoning Ordinance and the Board further finds that the standards of Article 10-102 of said Zoning Ordinance are met in this application; now therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 18th day of June 1996, That Special Exception #SE96-M-13, Slick Willie's Barbecue (PIN 6935-57-9910), be and is hereby, approved subject to the following conditions:

1. The portable prepared food carry-out operation shall be limited to the property and shall be located as shown on the submitted plat and further described as PIN 6935-57-9910.
2. The operation shall be in conformance with the Department of Agriculture's requirements for selling prepared foods at all times.
3. Hours of operation shall be limited to 11:00 a.m. to 8:00 p.m.

SPECIAL EXCEPTION - CAROLINE RIBBLE GREEN ESTATE - BED AND
BREAKFAST

Mr. Green withdrew from consideration of this matter because he is the applicant for the request. A public hearing was held to consider a request for special exception approval for the Caroline Ribble Green Estate to locate and operate a bed and breakfast inn and to accommodate occasional wedding receptions, parties and small seminars up to 150 people. The property is located on Leeds Manor Road (Route 688) south of Markham, PIN #6020-51-5322, Marshall District. Jim Green and Dan Neja spoke in favor of the request. The public hearing was closed. Mr. Brumfield moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was 4 to 0 as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur

W. Burton; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: Mr. James R. Green, Jr.

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION REQUEST #SE96-M-14

CAROLINE RIBBLE GREEN ESTATE

WHEREAS, the applicant, Caroline Ribble Green Estate, is requesting a special exception to locate and operate a bed and breakfast and to accommodate occasional wedding receptions, parties and small seminars at the existing Morven Farm; and,

WHEREAS, the Special Exception Application of the Caroline Ribble

Green Estate has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exception as set forth in Article 5 of the Zoning Ordinance and the Board further finds that the more restrictive standards of Article 5-700 and 5-916 of said Zoning Ordinance are met in this application; now therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 18th day of June 1996, That Special Exception #SE96-M-14, Caroline Ribble Green Estate (PIN 6020-51-5322), be and is hereby, approved subject to the following conditions:

1. Special exception approval to operate and bed and breakfast inn shall be granted specifically for the parcel as identified by PIN 6020-51-5322 and shall be limited to the existing main house and guest cottage as indicated on the plat as prepared by the applicant.
2. There shall be no more seven (7) guest rooms (maximum) to be located in the existing main house and guest cottage located at Morven Farm as indicated on the submitted plat prepared by the applicant.
3. Class C events shall be limited to no more 175 participants present on-site at any one time.
4. The subject parcel shall be fenced or clearly marked to prevent inadvertent trespassing.
5. Structures on the site shall be limited to those existing.
6. The applicant shall maintain at all times occupancy permits for all dwellings and guest units, Health Department approvals, and proof that State fire codes are met.
7. The applicant shall conform at all times to County Health Department regulations regarding sanitary sewerage facilities and wells.

8. Prior to site plan submission, the applicant shall obtain all necessary Health Department approvals, pertaining to the proper operation of all existing and proposed wells and drainfields.

9. All on-site parking and other physical improvements shall comply with the County's site plan regulations.

10. At least thirty (30) days prior to a Class C event, the applicant shall provide the Zoning Administrator with written approval, including copies of any permits or licenses if required, from the following agencies that control traffic, security, emergency services and on-site sanitary and refreshment facilities are adequate for the size and type of the event or activity to be held: Fauquier County Sheriff's Office; Virginia Department of Transportation; Fauquier County Emergency Services Coordinator; and Fauquier County Health Department.

11. At least thirty (30) days prior to a Class C event, the applicant shall provide the Zoning Administrator the name, address and a contact person for each individual, group association, partnership, or corporation which is expected to conduct retail sales at the event.

12. All grass areas used for parking shall be mowed and maintained so as to minimize the risk of field fires.

REZONING REQUEST - STEVEN W. RODGERS

A public hearing was held to consider a request from Steven W. Rodgers to amend the official zoning map by rezoning approximately 44 acres of land from Village Residential (V) to Rural Agriculture (RA). The property is located on the eastern edge of the Village of Frytown between Route 771 and Route 670, PIN #6994-20-8349-000; #6993-29-7796-000; a portion of #6993-38-4687-000; and a portion of #6994-30-4349, Center District. Roy Beckner, representing Mr.

Rodgers, Roland Tapscott, and Kitty Smith spoke in favor of the request. The public hearing was closed. Mr. Brumfield moved to table the decision until the July 16, 1996 meeting. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

SOUTHERN FAUQUIER AGRICULTURAL AND FORESTAL DISTRICT - 11TH

ADDITION - EDWIN L. WILLIAMS

A public hearing was held to consider the 11th addition to the Southern Fauquier Agricultural and Forestal District. No one spoke. The public hearing was closed. Mr. Burton moved to adopt the following ordinance. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

ORDINANCE

AN ORDINANCE TO APPROVE THE ELEVENTH ADDITION TO THE
SOUTHERN FAUQUIER AGRICULTURAL AND FORESTAL DISTRICT

WHEREAS, Section 15.1-1511, Code of Virginia (1950) as amended, allows additional parcels of land to be added to an existing district following the process described for the creation of a new district; and

WHEREAS, all requirements of Section 15.1-1511, Code of Virginia (1950) as amended have been met; now, therefore, be it

ORDAINED, by the Fauquier County Board of Supervisors this 18th day of June 1996, That the Eleventh Addition to the Southern Fauquier Agricultural and Forestal District Ordinance, be and is hereby, approved as follows:

(1) That the Eleventh Addition to the Southern Fauquier Agricultural and Forestal District is land which requires conservation and protection for the production of food and other agricultural and forestal products and as such is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is therefore valuable to public interest.

(2) That the Eleventh Addition to the Southern Fauquier Agricultural and Forestal District is hereby established this eighteenth day of June 1996, in accordance with the provisions of Title 15.1, Chapter 36, Sections 15.1-1513, Code of Virginia (1950, as amended.)

(3) That the Addition shall consist of the following parcel(s):

NAME	PIN #	ACREAGE
Edwin L. Williams	7913-82-9992	33 acres

and, be it, ORDAINED FURTHER, That the same conditions and restrictions shall apply, to wit:

(4) That pursuant to Title 15.1, Chapter 36, Section 15.1-1512, (b) of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. The modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established

(a) All uses allowed by right in the applicable zoning district(s) for each parcel shall require a special use permit except that farming and single family dwellings on a legally recorded parcel of record shall be permitted by right.

(b) Subdivisions of land as defined in Article 2.39 of the Fauquier County Subdivision Ordinance are not permitted.

(c) No special use permit shall be in conflict with the purposes for which the District was created.

(5) That these parcels qualify for land use value assessment provided that the parcels meet the criteria of Section 58-769.5 and 58-769.7 of the Code.

(6) That the owners of land within the District shall not terminate the District except in accordance with Section 15.1-1511E of the Code.

(7) That lawful termination of any owner's association in the district shall not serve to terminate the existence of the district, but the District shall continue in effect until the review required by Section 15.1-1511E of the Code.

(8) That parcels under twenty-five (25) acres shall be excluded except where exempted by the Board.

FIERY RUN AGRICULTURAL AND FORESTAL DISTRICT - 3RD ADDITION -
WILLIAM AND GLADYS DUVALL

A public hearing was held to consider the 3rd addition to the Fiery Run Agricultural and Forestal District. William Duvall spoke in favor of the addition. The public hearing was closed. Mr. Green moved to adopt the following ordinance. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur
W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

ORDINANCE

AN ORDINANCE TO APPROVE THE THIRD ADDITION TO THE FIERY RUN
AGRICULTURAL AND FORESTAL DISTRICT

WHEREAS, Section 15.1-1511, Code of Virginia (1950) as amended,
allows additional parcels of land to be added to an existing district following the
process described for the creation of a new district; and

WHEREAS, all requirements of Section 15.1-1511, Code of Virginia (1950) as amended have been met; now, therefore, be it

ORDAINED, by the Fauquier County Board of Supervisors this eighteenth day of June 1996, That the Third Addition to the Fiery Run Agricultural and Forestal District Ordinance, be and is hereby, approved as follows:

(1) That the Third Addition to the Fiery Run Agricultural and Forestal District is land which requires conservation and protection for the production of food and other agricultural and forestal products and as such is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is therefore valuable to public interest.

(2) That the Third Addition to the Fiery Run Agricultural and Forestal District is hereby established this eighteenth day of June 1996, in accordance with the provisions of Title 15.1, Chapter 36, Sections 15.1-1513, Code of Virginia (1950, as amended.)

(3) That the Addition shall consist of the following parcel(s):

NAME	PIN #	ACREAGE
William and Gladys Duvall	6909-42-3288	82.46
William and Gladys Duvall	6909-33-9393	16.00
William and Gladys Duvall	6909-44-8444	308.54
Total Acreage		407

and, be it, ORDAINED FURTHER, That the same conditions and restrictions shall apply, to wit:

(4) That pursuant to Title 15.1, Chapter 36, Section 15.1-1512, (b) of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. The modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established

(a) All uses allowed by right in the applicable zoning district(s) for each parcel shall require a special use permit except that farming and single family dwellings on a legally recorded parcel of record shall be permitted by right.

(b) Subdivisions of land as defined in Article 2.39 of the Fauquier County Subdivision Ordinance are not permitted.

(c) No special use permit shall be in conflict with the purposes for which the District was created.

(5) That these parcels qualify for land use value assessment provided that the parcels meet the criteria of Section 58-769.5 and 58-769.7 of the Code.

(6) That the owners of land within the District shall not terminate the District except in accordance with Section 15.1-1511E of the Code.

(7) That lawful termination of any owner's association in the district shall

not serve to terminate the existence of the district, but the District shall continue in effect until the review required by Section 15.1-1511E of the Code.

(8) That parcels under twenty-five (25) acres shall be excluded except where exempted by the Board.

With no further business, the meeting was adjourned.